

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8
Patt
w/d
Cald
DW

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Filed: August 12, 1999

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26



Examiner: J. Allen Shriver

Art Unit: 3611

**PETITION TO WITHDRAW ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service January 4, 2002. I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231.

Theresa M. Good
NAME OF PERSON MAILING PAPER

Theresa M. Good
SIGNATURE

Sir:

In response to the Notice of Abandonment mailed on September 21, 2001, Applicants respectfully request reconsideration and withdrawal of the holding of abandonment based on failure to receive the office action mailed on February 2, 2001. In fact, no office action has ever been received by Applicants after Applicants' response to the U.S. Patent and Trademark Office filed on November 28, 2000.

2/13/01!

In support of this Petition, Applicants have attached a copy of a docket report showing all items having a response due on May 2, 2001 (the cases are sorted by the initials of the attorney assigned to the case; the present application was assigned to "ML7," and any response to an office action would have appeared under the ML7 entry); a Statement of Facts by the undersigned attesting to a search and review of Applicants' file jacket and docket record indicating that an Office action was not received, and a Statement of Facts by a Theresa M. Good also attesting to

09373038
01/28/2002 CCHU1 00000092 031800 130.00 CH
01 FC:122

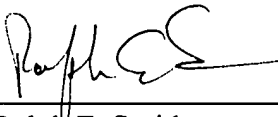
the fact that the docket record was reviewed and indicates that no Office action was ever received after Applicants' response of November 28, 2000.

Therefore, Applicants respectfully request withdrawal of the holding of abandonment, and remailing of the Office action.

The Commissioner is authorized to charge the Petition fee of \$130.00 associated with this paper, as well as credit any refund or overpayment, to Deposit Account No. 03-1800. A copy of the first page of this response is enclosed for that purpose.

Respectfully submitted,

By:



Ralph E. Smith
Reg. No. 35,474
Attorney for Applicant

Dated: 1/04/2002

CIMS 483-02-19

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STATEMENT OF FACTS

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
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Theresa M. Good
NAME OF PERSON MAILING PAPER

Theresa M. Good
SIGNATURE

Sir:

1. I, Theresa M. Good, am a patent administrative assistant currently employed by DaimlerChrysler Corporation.
2. I have over 18 years experience working in the area of intellectual property.
3. In response to receipt of the Notice of Abandonment mailed on September 21, 2001, I was asked to review our docketing database to determine whether the docket records were indicative of an office action being received in connection with the present application, as well as if a response was shown to be due on May 2, 2001.
4. Based on my review of our docketing database, I have found no entry or record in our docketing records that suggests an office action was ever received in

connection with the present application after mailing of the amendment on
November 28, 2001.

Theresa M. Good

Theresa M. Good

1-4-02

Date

3611

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/373,038
Filing Date	August 12, 1999
First Named Inventor	Bell et al.
Group Art Unit	3611
Examiner Name	J. A. Shriver
Attorney Docket Number	98-26

Total Number of Pages in This Submission 10

ENCLOSURES (check all that apply)☐ Issue Fee Transmittal Form (in dup.)☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☒ Petition to Withdraw Abandonment
Based On Failure To Receive Office
Action☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):Return receipt postcard,
Statement of Facts of Theresa
Good, Statement of Facts of
Ralph E. Smith and One-Page
Docket

Remarks

The Commissioner is hereby authorized to charge any
additional fees that may be required under 37 CFR 1.16 OR
1.17 to Deposit Account No. 03-1800. A duplicate copy of this
sheet is enclosed.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

or
Individual name

DaimlerChrysler Corporation

Ralph E. Smith, Reg. 35,474

Signature

Date

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope
addressed to: Commissioner of Patents & Trademarks, U.S. Patent & Trademark Office, Washington, D.C. 20231

Typed or printed name

Theresa M. Good

Signature

Theresa M. Good

Date

1-4-02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark
Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for
Patents, Washington, DC 20231.

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FEB 06 2002

GROUP 3600

JAN 24 2002

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